



Australian Government

Department of Health

# TOBACCO PLAIN PACKAGING

## YOUR GUIDE – SUPPLEMENT NON-CIGARETTE TOBACCO PRODUCTS



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## DISCLAIMER

**This booklet does not illustrate or itemise all of the tobacco plain packaging and health warning requirements. The requirements not itemised or displayed in this booklet are not any less important or significant than those that are displayed or itemised.**

The booklet does not provide legal advice and is not to be relied upon as a source of legal advice. It is provided as a general guide only and is not intended to be comprehensive, covering all of the requirements of the relevant legislation and regulations. Due to space and design constraints, images displayed in this booklet are not to scale and are only intended to provide general guidance to tobacco suppliers. As such any person reading this booklet should rely upon their own judgement and make their own inquiries including seeking relevant professional advice.

All manufacturers, packagers and suppliers of tobacco products should ensure they understand all of the requirements in the *Tobacco Plain Packaging Act 2011*, the *Tobacco Plain Packaging Regulations 2011*, and the *Competition and Consumer (Tobacco) Information Standard 2011*.

Nothing in this booklet should be taken in any way to replace the provisions of the *Tobacco Plain Packaging Act 2011*, the *Tobacco Plain Packaging Regulations 2011*, and the *Competition and Consumer (Tobacco) Information Standard 2011*.

Throughout this booklet, the *Tobacco Plain Packaging Act 2011* is referred to as 'the Act', the *Tobacco Plain Packaging Regulations 2011* as 'the Regulations', and the *Competition and Consumer (Tobacco) Information Standard 2011* as 'the Standard'.

For the complete tobacco plain packaging and health warning requirements, refer to the legislation.

Links are below:

### TOBACCO PLAIN PACKAGING

*Tobacco Plain Packaging Act 2011*

<http://www.comlaw.gov.au/Details/C2013C00190>

*Tobacco Plain Packaging Regulations 2011*

<http://www.comlaw.gov.au/Details/F2013C00801>

### TOBACCO HEALTH WARNINGS

*Competition and Consumer (Tobacco) Information Standard 2011*

<http://www.comlaw.gov.au/Details/F2013C00598>

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## PURPOSE OF THE BOOKLET

This booklet can be used as a guide to help you identify some of the key plain packaging and health warning requirements for non-cigarette tobacco products.

This booklet supplements the *Tobacco Plain Packaging – Your Guide* and is intended to be used in conjunction with it and other materials such as the *Frequently Asked Questions* for Cigars and Shisha and Molasses Tobacco Products. All of these resources are available from [www.health.gov.au/tobaccopp](http://www.health.gov.au/tobaccopp). The material at this website is available in several languages.

The illustrations in this booklet are a visual guide of what plain packaging and the health warnings may look like for different non-cigarette tobacco products and packaging formats; however, there may be alternative packaging formats available for some tobacco products.

This booklet has been provided by the Australian Government as a guide only.

## IMPORTANT INFORMATION ON YOUR OBLIGATIONS

Since 1 December 2012, **all** tobacco products sold, offered for sale, or otherwise supplied in Australia must be in plain packaging and labelled with the updated and expanded health warnings.

Manufacturers/importers/suppliers of tobacco products intended for sale in Australia need to make arrangements for compliant retail packaging in accordance with the Act and Regulations. Tobacco products that are imported in non-compliant packaging will need to be repackaged into compliant retail packaging before being sold, offered for sale or otherwise supplied (whether by wholesale or retail sale) in Australia.

The tobacco plain packaging requirements apply to **any** supply of tobacco products in Australia – not just a retail sale.

Retail packaging for all tobacco products should be **purpose-made** to comply with the plain packaging requirements. It is not permitted to cover non-compliant packaging of non-cigarette tobacco products with adhesive material in the required drab dark brown colour ('overstickering'). Although 'overstickering' is not allowed as a way of complying with the tobacco plain packaging requirements, adhesive labels or bands may be used in limited circumstances (refer to page 21 for further information on use of adhesive labels for non-cigarette tobacco product packaging).

Any person who buys, offers for sale, sells or otherwise supplies tobacco products in Australia which do not comply with the Act or the Regulations may face significant criminal or civil penalties. As at September 2014, the maximum penalty for a fault-based criminal offence under the Act is 2,000 penalty units or \$340,000 for an individual, and 10,000 penalty units or \$1.7 million for a corporation.

Separate penalties of up to \$220,000 for an individual, and \$1.1 million for a corporation apply for breaches of the health warning requirements set out in the Standard.

Manufacturers/importers/suppliers should also ensure they are aware of other legislative requirements for the packaging of products intended for sale in Australia, such as the *National Measurement Act 1960*, the *National Trade Measurement Regulations 2009*, the *Commerce (Trade Descriptions) Act 1905*, and the *Commerce (Imports) Regulations 1940*.

## LOOSE LEAF TOBACCO

### LOOSE LEAF TOBACCO POUCH – BACK

‘Rolling’ or ‘roll-your-own’ (RYO) tobacco, pipe tobacco and shisha/waterpipe tobacco.

#### POUCH FORMAT AND SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or the colour of the packaging material in its natural state
- matt finish
- no embellishments

#### RE-SEALABLE TAB:

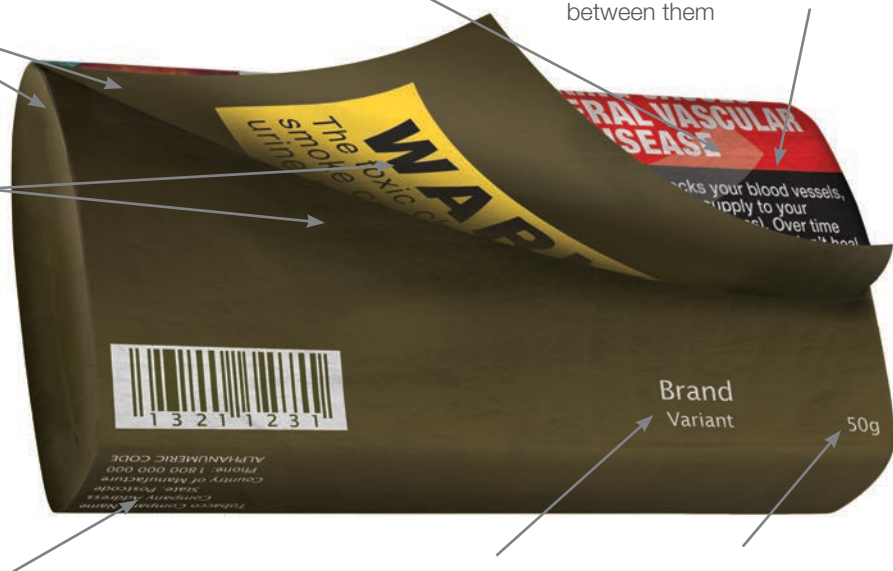
- must be Pantone 448C, or black, or transparent and not coloured
- must not obscure legislative requirements, including the health warning

#### WARNING STATEMENT, GRAPHIC AND EXPLANATORY MESSAGE:

- cover at least 75% of the back surface
- extend to the top and side edges of the back surface
- join without space between them

#### INFORMATION MESSAGE:

- must be at least 80mm by 25mm
- in the centre of the underside of the flap, or in the centre of the surface under the flap as close as possible to the top edge of the sealed inner pouch
- black text, in specified font, size, capitalisation and weighting, on yellow background



#### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code
- in Lucida Sans font
- no larger than 10 points in size
- in specified colours

#### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C

#### MEASUREMENT MARK:

- no larger than required font size
- in Pantone Cool Gray 2C

#### NOTE:

For pouches, the underside flap, i.e. the surface that is not in contact with tobacco, is an outer surface and **must** be Pantone 448C (a drab dark brown).

#### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

For details on the requirements of adhesive labels refer to page 21.

## LOOSE LEAF TOBACCO TIN (SMALL CYLINDER) – FRONT

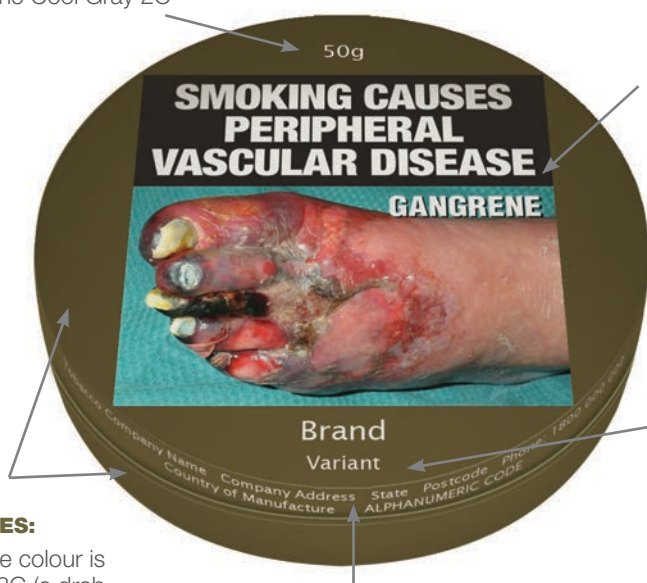
‘Rolling’ or ‘roll-your-own’ (RYO) tobacco, pipe tobacco and shisha/waterpipe tobacco.

### MEASUREMENT MARK:

- no larger than required font size
- in Pantone Cool Gray 2C

### WARNING STATEMENT AND GRAPHIC:

- cover at least 60% of the front surface
- in a rectangular layout (as displayed)
- join without space between them
- rotated in accordance with the Standard – refer to page 22



### TIN FORMAT AND SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or the colour of the packaging material in its natural state
- matt finish
- no embellishments

### BRAND AND VARIANT NAME:

- in the same orientation as, and not above health warning
- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C

### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code
- marks must meet the specifications on number, colour, font, size and position

### NOTE:

Health warning size and layout requirements differ for loose tobacco and/or shisha/waterpipe tobacco in square or rectangular containers and for large cylindrical packaging that has a height of at least 41mm. Refer to page 18 for an example of a large cylinder.

Further information on the health warning requirements for these types of containers is detailed in the Standard.

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

For details on the requirements of adhesive labels refer to page 21.

# REQUIREMENTS FOR CIGARS

## CIGAR

### NOTE:

Non-compliant (branded) cigar band(s) **must** be **removed or covered** with a **single** compliant adhesive band.

If a plain packaged band covers a non-compliant band or bands, it **must**:

- **completely** cover the non-compliant band(s), and
- be firmly fastened to, and not be easily removable from, the band it covers.

### NOTE:

Hand written labels are **not** permitted.

### CIGAR BAND:

- a **single band** may appear on a cigar
- colour is Pantone 448C (a drab dark brown)

### PERMITTED MARKS:

- brand and variant name, country of manufacture, alphanumeric code, and covert marks
- must meet the specifications on number, colour, font, size and position



### WRAPPER:

- must be transparent
- not coloured, marked, textured or embellished in any way
- no trade mark or any other marks other than as permitted by the Regulations

### TEAR STRIP:

- must be either entirely black, or entirely transparent and not coloured
- form a single continuous straight line of constant width, not wider than 3 mm, around the circumference
- transparent tear strip may include a single solid black line not more than 15 mm long indicating where the tear strip begins

### NOTE:

Single sale cigars **must be packaged into compliant retail packaging prior** to selling, offering for sale or otherwise supplying the product.

- A cigar can be *viewed* either without packaging ('naked') or in plain packaging (including a compliant band).
- However the cigar **must** be placed into compliant packaging, displaying a health warning, *before sale*.
  - The cigar **must** be covered by at least one layer of retail packaging that is not a plastic or other wrapper.
  - The cigar may be inserted into a compliant cigar bag, cigar tube or other packaging that is compliant with the Act, Regulations and Standard.

The supply of branded cigars and/or branded cigar tubes placed into compliant plain packaged cigar bags or other compliant packaging is **not** permitted.

## CIGAR TUBES

### HEALTH WARNING:

- must be one of five cigar-specific warning statements
- cover at least 95% of the total length
- extend to at least 60% of the circumference
- can be broken when the tube is opened

### NOTE:

Transparent/clear plastic tubes and bare metal tubes are **not** permitted.



### OPENING OF THE CIGAR TUBE:

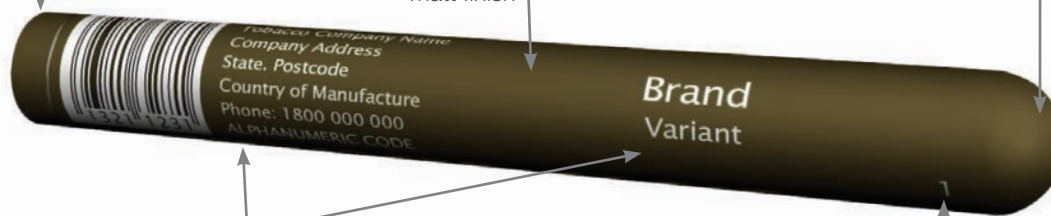
- must be at least 15 mm in diameter

### TUBE SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or colour of the packaging material in its natural state
- matt finish

### TUBE FORMAT:

- cylindrical and rigid
- may have one or both ends tapered or rounded
- no embellishments



### OTHER MARKINGS:

- brand and variant name, name and address, country of manufacture, contact number, alphanumeric code, barcode
- must meet the specifications on number, colour, font, size and position

### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Health warnings

Further information on the requirements for adhesive labels is available at page 21.

Handwritten labels are **not** permitted.

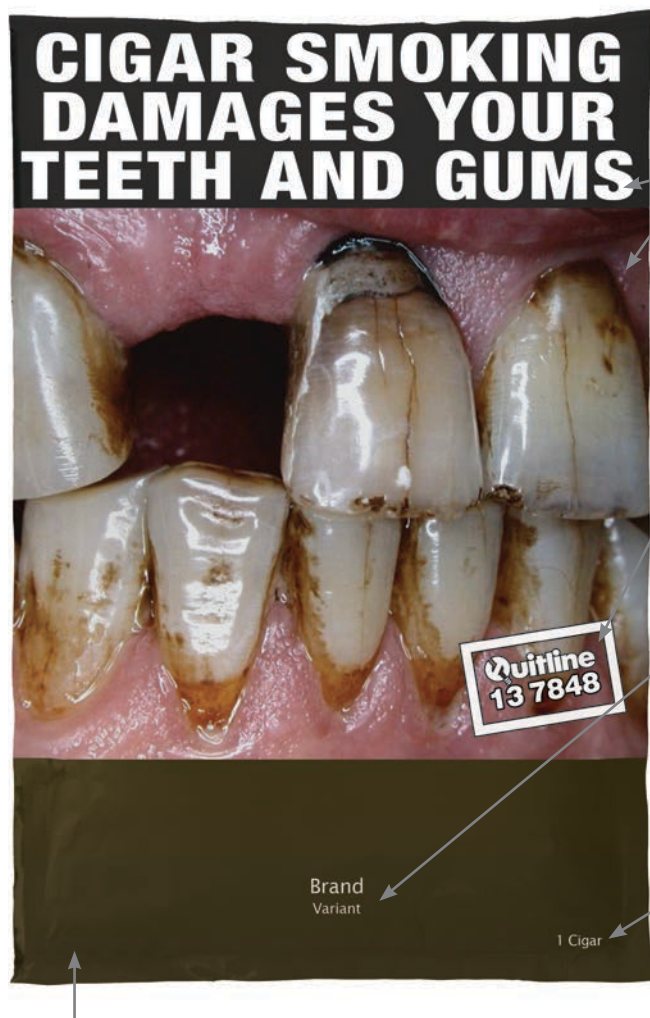
### NOTE: rotation of health warnings

If a retailer/person places a cigar/s into retail packaging, including repackaging into compliant packaging, the onus is then on that retailer/person to ensure that the cigar is placed into packaging that contains a correct cigar health warning and to ensure that rotation requirements are met.

Further information on these requirements is available at page 22.

## CIGAR BAG – FRONT

For use in the supply of cigars to customers, such as resealable/press-seal bags.



### MINIMUM SIZE REQUIREMENTS:

- largest dimension of packaging must be at least 85mm
- second largest dimension must be at least 55mm

### WARNING STATEMENT AND GRAPHIC:

- must be one of five cigar-specific graphic health warnings
- cover at least 75% of the front surface
- extend to the top and side edges of the front surface
- join without space between them
- In Helvetica font

### 'QUITLINE' LOGO:

- appears on the front of the cigar bag as part of the graphic
- must be partially transparent to allow the graphic to be seen underneath it

### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may only appear once on each of the front and back outer surfaces

### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces

### BAG FORMAT AND SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or the colour of the packaging material in its natural state
- matt finish
- no embellishments

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

Further information on the requirements for adhesive labels is available at page 21.

Handwritten labels are **not** permitted.

## CIGAR BAG – BACK



### WARNING STATEMENT AND EXPLANATORY MESSAGE:

- must be one of five cigar-specific graphic health warnings
- cover at least 75% of the back surface
- extend to the top and side edges of the back surface
- join without space between them
- in Helvetica font
- must be from the same health warning as displayed on the front of the bag

### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may only appear once on each of the front and back outer surfaces

### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces

### BAR CODE:

- rectangular
- black and white, or Pantone 448C and white
- may appear only once

### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code
- in Lucida Sans font
- no larger than 10 points in size
- in specified colours
- may only appear once

### NOTE: rotation of graphic health warnings

If a retailer/person places a cigar/s into retail packaging, including repackaging into compliant packaging, the onus is then on that retailer/person to ensure that the cigar is placed into packaging that contains a correct cigar health warning and to ensure that rotation requirements are met.

Further information on these requirements is available at page 22.

## CIGAR BOX – FRONT

### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code, barcode
- must meet the specifications on number, colour, font, size and position

### BOX FORMAT AND SURFACES (including hinges and clasps):

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or colour of the packaging material in its natural state
- matt finish
- no embellishments

### BRAND AND VARIANT NAME:

- in same orientation as health warning
- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C colour



### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C colour

### GRAPHIC AND WARNING STATEMENT:

- must be one of five cigar-specific graphic health warnings
- cover at least 75% of the front surface
  - except for a large cigar package with a front surface area of 250cm<sup>2</sup> or more, in which case the health warning must cover at least 188cm<sup>2</sup>

Cigar boxes, tins or bags should be **purpose-made** to comply with the tobacco plain packaging requirements. Wrapping or covering boxes or tins in 'drab dark brown' paper or adhesive labels ('oversticking') is **not** permitted.

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

Further information on the requirements for adhesive labels is available at page 21.

Handwritten labels are **not** permitted.

### NOTE: rotation of graphic health warnings

If a retailer/person places a cigar/s into retail packaging, including repackaging into compliant packaging, the onus is then on that retailer/person to ensure that the cigar is placed into packaging that contains a correct cigar health warning and to ensure that rotation requirements are met.

Further information on these requirements is available at page 22.

## CIGAR TIN (SQUARE) – FRONT

### TIN FORMAT AND SURFACES (including hinges and clasps):

- outer surfaces colour is Pantone 448C (a drab dark brown)
- inner surface is white, or colour of the packaging material in its natural state
- matt finish
- no embellishments

Cigar boxes, tins or bags should be **purpose-made** to comply with the tobacco plain packaging requirements.

Wrapping or covering boxes or tins in 'drab dark brown' paper or adhesive labels ('overstickering') is **not** permitted.



### GRAPHIC AND WARNING STATEMENT:

- must be one of five cigar-specific graphic health warnings
- cover at least 75% of the front surface

### BRAND AND VARIANT NAME:

- in same orientation as health warning
- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C

### MEASUREMENT MARK:

- no larger than required size
- in Lucida Sans font
- in Pantone Cool Gray 2C colour

### OTHER MARKINGS: (not shown on this image)

- name and address, country of manufacture, contact number, alphanumeric code, barcode
- must meet the specifications on number, colour, font, size and position

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

Further information on the requirements for adhesive labels is available at page 21.

Handwritten labels are **not** permitted.

### NOTE: rotation of graphic health warnings

If a retailer/person places a cigar/s into retail packaging, including repackaging into compliant packaging, the onus is then on that retailer/person to ensure that the cigar is placed into packaging that contains a correct cigar health warning and to ensure that rotation requirements are met.

Further information on these requirements is available at page 22.

## SHISHA/WATERPIPE TOBACCO PRODUCTS

Shisha/waterpipe tobacco includes molasses-, fruit- and herbal- based tobacco products. Although these types of products are commonly referred to as shisha they may also be described by other names including hookah, narghile, maasal, mu'assel, tumbak, tunbak and ajami.

## SHISHA/WATERPIPE TOBACCO IN FOIL – FRONT

The following images display possible options for the plain packaging of shisha/waterpipe tobacco products. However, there may be other formats for shisha/waterpipe tobacco product packaging, such as bags, large boxes and square or oval tins or tubs.

### NOTE:

Products that contain **any** tobacco **must** be plain packaged and display health warnings when offered for sale, sold or otherwise supplied.

### GRAPHIC AND WARNING STATEMENT:

- cover at least 75% of the front surface
- extend to the top and side edges
- join without space between them
- in Helvetica font
- graphic must not be distorted
- rotated in accordance with the Standard – refer to page 22

### MINIMUM SIZE REQUIREMENTS:

- largest dimension of packaging must be at least 85mm
- second largest dimension must be at least 55mm

### FOIL SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or colour of the packaging material in its natural state
- matt finish
- no embellishments

### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may only appear once on each of the front and back outer surfaces, in the same orientation as, and not above, the health warnings

### MEASUREMENT MARK:

- no larger than required size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces

### NOTE:

Compliant foil packaging may be placed into another compliant container, such as a box, bag or tin.

- Cigar bags cannot be used because the health warnings required for these bags are specific to cigars.
- A health warning **must** be on both the foil package and on any container in which the foil package is placed for retail sale.
- Each layer of packaging **must** comply with the requirements.



## SHISHA/WATERPIPE TOBACCO IN FOIL – BACK

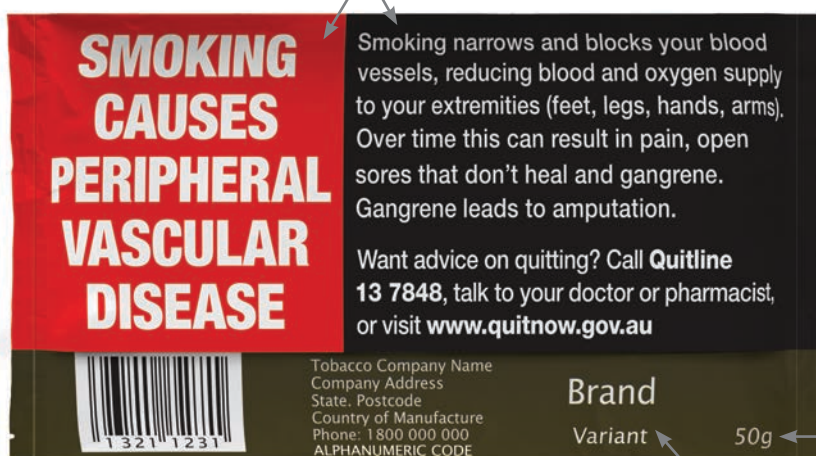
### WARNING STATEMENT AND EXPLANATORY MESSAGE:

- cover at least 75% of the back surface
- extend to the top and side edges
- join without space between them
- in Helvetica font
- be from the same health warning as displayed on the front of the foil

### NOTE:

**All layers** of the retail packaging **must** be plain packaged and display health warnings.

- Retail packaging should be **purpose-made** to comply with the tobacco plain packaging requirements.
- If the tobacco product is not already in compliant packaging, it **must** be taken out of the non-compliant packaging and be repackaged into compliant packaging.



### MEASUREMENT MARK:

- no larger than required size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces

### BAR CODE:

- rectangular
- black and white, or Pantone 448C and white
- may appear only once

### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code
- in Lucida Sans font
- no larger than 10 points in size
- in specified colours
- may only appear once

### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

Further information on the requirements for adhesive labels is available at page 21.

Hand written labels are **not** permitted.

## SHISHA/WATERPIPE TOBACCO BOX – FRONT

The following images display possible options for the plain packaging of shisha/waterpipe tobacco products. However, there may be other formats for shisha/waterpipe tobacco product packaging, such as bags, large boxes and square or oval tins or tubs.

### INFORMATION MESSAGE:

- where required, must cover at least 50% of the specified surface
- black text on yellow background
- text must be legible and in specified size, capitalisation and weighting
- must be from the same health warning as displayed on the front of the box

### GRAPHIC AND WARNING STATEMENT:

- cover at least 75% of the front surface
- extend to the top and side edges
- join without space between them
- in Helvetica font
- rotated in accordance with the Standard – refer to page 22

### BOX FORMAT AND SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or colour of the packaging material in its natural state
- matt finish
- no embellishments

### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces



### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may only appear once on each of the front and back outer surfaces, in the same orientation as, and not above, the health warnings

### NOTE:

All layers of the retail packaging **must** be plain packaged and display health warnings.

- Retail packaging should be **purpose-made** to comply with the tobacco plain packaging requirements.
- If the tobacco product is not already in compliant packaging, it **must** be taken out of the non-compliant packaging and be repackaged into compliant packaging.

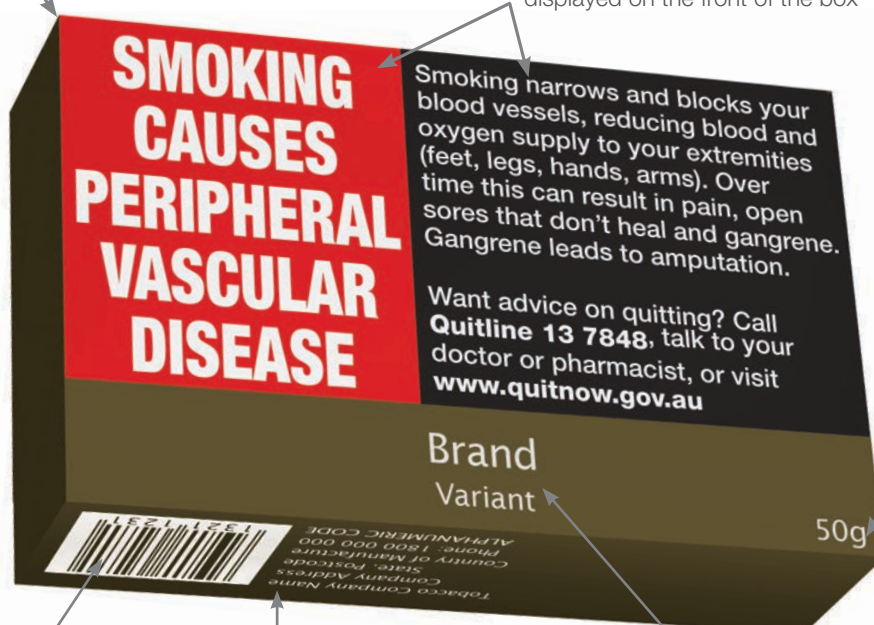
## SHISHA/WATERPIPE TOBACCO BOX – BACK

### MINIMUM SIZE REQUIREMENTS:

- largest dimension of packaging must be at least 85mm
- second largest dimension must be at least 55mm

### WARNING STATEMENT AND EXPLANATORY MESSAGE:

- covers at least 75% of the back surface
- extends to the top and side edges
- join without space between them
- in Helvetica font
- be from the same health warning as displayed on the front of the box



### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces

### BAR CODE:

- rectangular
- black and white, or Pantone 448C and white
- may appear only once

### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code
- in Lucida Sans font
- no larger than 10 points in size
- in specified colours
- may only appear once

### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C

### NOTE:

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

Further information on the requirements for adhesive labels is available at page 21.

Hand written labels are **not** permitted.

## SHISHA/WATERPIPE TOBACCO TIN (LARGE CYLINDER) – FRONT

The following image displays a possible option for the plain packaging of shisha/waterpipe tobacco products. However, there may be other formats for shisha/waterpipe tobacco product packaging, such as bags, large boxes, tubs and square or oval tins.

### TIN SURFACES:

- outer surface colour is Pantone 448C (a drab dark brown)
- inner surface is white, or colour of the packaging in its natural state
- matt finish
- no embellishments

### TIN FORMAT:

- Large cylinder has a height of at least 41mm
- Refer to page 7 for an example of a small cylinder (height less than 41mm) and the Standard for the health warning requirements for different cylinder sizes

### WARNING STATEMENT AND GRAPHIC:

- covers at least 75% of the front surface (which is defined as the curved surface that extends 1/6th of the circumference of the cylinder each side of the vertical centre line of the largest brand name on the surface)
- join without space between them
- in Helvetica font
- rotated in accordance with the Standard – refer to page 22

### INFORMATION MESSAGE:

(not shown on this image)

- must include an information message covering at least 50% of the base of the cylinder

### OTHER MARKINGS:

- name and address, country of manufacture, contact number, alphanumeric code
- in Lucida Sans font
- no larger than 10 points in size
- in specified colours
- may only appear once

### BAR CODE:

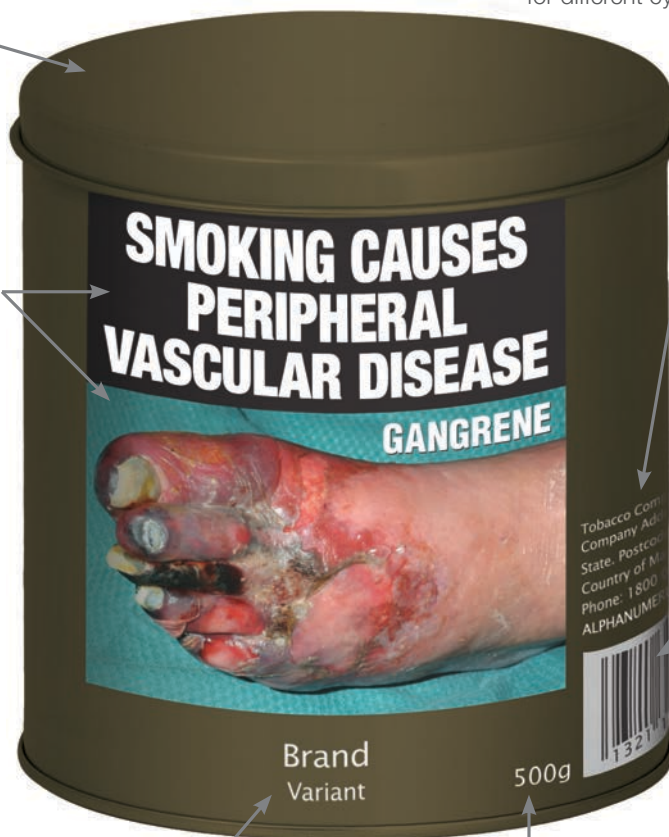
- rectangular
- black and white, or Pantone 448C and white
- may appear only once

### BRAND AND VARIANT NAME:

- no larger than maximum sizes, in specified capitalisation
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may only appear once on each of the front and back outer surfaces, in the same orientation as, and not above, the health warnings

### MEASUREMENT MARK:

- no larger than required font size
- in Lucida Sans font
- in Pantone Cool Gray 2C
- may appear on no more than 2 surfaces



**NOTE:**

Adhesive labels may be used on packaging to display:

- Brand and variant names
- Graphic health warnings

Further information on the requirements for adhesive labels is available at page 21.

Hand written labels are **not** permitted.

**NOTE:**

**All layers** of the retail packaging **must** be plain packaged and display health warnings.

- Retail packaging should be **purpose-made** to comply with the tobacco plain packaging requirements.
- If the tobacco product is not already in compliant packaging, it **must** be taken out of the non-compliant packaging and be repackaged into compliant packaging.

**HEALTH WARNING ON BACK OF LARGE CYLINDER:**

- **must** be from the same health warning as displayed on the front of the cylinder/tin
- covers at least 75% of the back surface (the curved surface that extends 1/6th of the circumference of the cylinder each side of the vertical centre line directly opposite the front surface)

- includes a warning statement, graphic and explanatory message, using this layout:

Warning statement
Graphic
Explanatory Message

## IMPORTANT NOTES

### SHISHA/WATERPIPE TOBACCO PRODUCT PACKAGING

Shisha/waterpipe products that contain **any** tobacco **must be plain packaged** and display health warnings when offered for sale, sold or otherwise supplied. Fruit or herbal-based products that do not contain tobacco are not required to be in plain packaging.

Shisha/waterpipe products that contain **any** tobacco and are in non-compliant packaging, **must be repackaged** into compliant retail packaging **before** being sold, offered for sale or otherwise supplied (whether by wholesale or retail sale) in Australia. Retail packaging should be **purpose-made** to comply with the tobacco plain packaging requirements. If the tobacco product is not already in compliant packaging, it must first be taken out of the non-compliant packaging and be repackaged into compliant packaging.

All layers of tobacco product retail packaging **must be plain packaged** and display health warnings.

Compliant foil packaging may be placed into another compliant container, such as a box, bag, tin or tub. A health warning (in accordance with the Standard) **must** be on both the foil package and on any container in which the foil package is placed for retail sale. Cigar bags **cannot** be used because the health warnings required for these bags are specific to cigars.

Shisha/waterpipe tobacco products **cannot** be supplied to the consumer pre-packed in a smoking device. The Standard requires that all tobacco products supplied by way of retail sale **must be in retail packaging when supplied to the purchaser**, so that the health warnings are displayed to the consumer at the time they take possession.

### OTHER SHISHA/WATERPIPE TOBACCO PRODUCT PACKAGING FORMATS NOT DISPLAYED IN THIS BOOKLET

The images in this booklet display possible options for plain packaging of shisha/waterpipe tobacco products.

However, there may be other formats for shisha/waterpipe tobacco product packaging, such as bags, large boxes, tubs and tins of varying shapes and sizes.

These formats are permitted as long as they comply with requirements of the Act, Regulations and Standard.

Health warning requirements and layouts may vary depending on the size and type of packaging. You should refer to the Standard to ensure that health warnings are compliant.

## USE OF ADHESIVE LABELS ON NON-CIGARETTE TOBACCO PRODUCT RETAIL PACKAGING

The Act prohibits all inserts and onserts, unless they are explicitly permitted in the Regulations. The Regulations permit the use of an adhesive label on **non-cigarette tobacco product retail packaging** in a limited number of situations:

1. Brand, business, company and variant names (names) on retail packaging of non-cigarette tobacco products (regulations 2.4.2, 2.4.3 and 2.4.4); and
2. Graphic health warnings requirements (regulation 2.6.1 and in accordance with the Standard).

The use of adhesive labels in these situations allows manufacturers/suppliers of non-cigarette tobacco products sold in Australia to use packaging that is not brand/variant specific and subsequently apply the brand and variant details and graphic health warning requirements via an adhesive label.

The adhesive label **must** be firmly affixed to the packaging and **not** easily removable. An adhesive label is considered easily removable if it is not likely to stay fastened during the expected life of the retail packaging; or it can be easily removed without damaging the label or the retail packaging.

### 1. BRAND, BUSINESS, COMPANY AND VARIANT NAMES

The Regulations stipulate the specifications for the use of adhesive labels for the appearance of names on retail packaging of non-cigarette tobacco products, including:

- the requirements for the label (regulation 2.4.2):
  - in the colour Pantone 448C (a drab dark brown),
  - no larger than reasonably necessary, and
  - the typeface and size requirements for the names (*note that hand written labels are not permitted*);
- the permitted location and orientation of the names on cigar tubes (regulation 2.4.3); and
- the permitted location and orientation of the names on retail packaging of other non-cigarette tobacco products (regulation 2.4.4).

Adhesive labels must not obscure any relevant legislative requirements.

#### NOTE:

Regulation 2.3.5 allows bar codes on wrappers covering *more than one item* of primary packaging to be printed on an adhesive label which is fastened firmly to the wrapper so as not to be easily removable (this applies to both cigarette and non-cigarette tobacco product packaging).

## 2. GRAPHIC HEALTH WARNINGS REQUIREMENTS

The *Competition and Consumer (Tobacco) Information Standard 2011* (the Standard) requires the display of health warnings on all tobacco product retail packaging. The Standard allows health warnings to be printed on an adhesive label affixed to the retail packaging of non-cigarette tobacco products.

It is the responsibility of manufacturers/suppliers to ensure that the use of adhesive labels to display health warnings is compliant with the Standard.

### ROTATION OF HEALTH WARNINGS

The health warnings on tobacco products are required to rotate to optimise consumer learning and awareness of the health effects of smoking.

The health warnings on all types of retail packaging for all smoked tobacco products (except cigars and bidis) are required to rotate in two sets of seven warnings every 12 months as outlined in the Standard. This includes loose leaf tobacco (roll-your-own tobacco and pipe tobacco) and shisha/waterpipe tobacco.

Additionally, all health warnings, regardless of the type of tobacco product, must be displayed in rotation so that each warning appears, as close as possible, in equal numbers on each kind of tobacco product. Tobacco products are of different kinds if they are sold under different brand names or variant names.

The obligation to rotate the health warnings is on importers and manufacturers. However the meaning of manufacturer in subsection 1.3(1) of the Standard includes 'a person who places a tobacco product into retail packaging.'

Therefore a retailer/person is responsible for the rotation of health warnings under the Standard if they:

- place a single cigar into retail packaging; or
- repackage any tobacco product into retail packaging to be compliant with the plain packaging and/or health warning requirements.

Further information on the health warning rotation requirements can be found at [www.productsafety.gov.au](http://www.productsafety.gov.au).

## FURTHER INFORMATION

Further information on tobacco plain packaging requirements is available at [www.health.gov.au/tobaccopp](http://www.health.gov.au/tobaccopp).

Further information on health warning requirements is available at [www.productsafety.gov.au](http://www.productsafety.gov.au). A supplier's guide to the health warning requirements, *The Supplier Guide Product Safety: Tobacco product health warnings*, is available at <http://www.productsafety.gov.au/content/index.phtml/itemId/995029>.

Further information on the measurement marking requirements is available at: <http://www.measurement.gov.au/TradeMeasurement/Business/Pages/Pre-packagedGoods.aspx>.

You should seek your own independent advice if you are unsure of your obligations under the tobacco plain packaging or health warnings legislation, or are having difficulty understanding the requirements.

**NOTE: This is a guide only. It does not list all of the tobacco plain packaging requirements or graphic health warning requirements.**

**For the complete tobacco plain packaging and graphic health warning requirements, you must refer to the legislation.**

**Links to the legislation are provided on page 3.**



[www.health.gov.au/tobaccopp](http://www.health.gov.au/tobaccopp)

This document is to be used as a guide only and should not be relied upon as a source of legal advice. It is not a complete summary of the tobacco plain packaging and health warning requirements. You should obtain your own professional and legal advice in relation to the tobacco plain packaging and health warning requirements. All information in this publication is correct as at September 2014.

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